

COPY

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION

On Its Own Motion

v.

NORFOLK SOUTHERN RAILWAY COMPANY

T02-0076

ILLINOIS COMMERCE
COMMISSION

2002 SEP 12 A 9:41

TRANSPORTATION DIV

INTERROGATORIES

Now comes Norfolk Southern Railway Company, and hereby propounds the following interrogatories to the Illinois Commerce Commission to be answered in writing, under oath, within twenty-eight (28) days as provided by the Illinois Code of Civil Procedure, or sooner if directed by the Commission:

1. State the name and title of the person(s) answering and/or providing information responsive to the respective interrogatories herein below.

ANSWER:

2. State the name of each and every person who is employed by the Commission, who investigated at any time the crossing that is the subject of this Citation. State when that investigation took place and state whether they produced a report or obtained or created any other type of documentation, including but not limited to, handwritten notes, information stored electronically, diagrams, plans, sketches and on specifications of the subject crossing.

ANSWER:

DOCKETED

3. Please provide the name, address and title of each witness who will testify at the Citation hearing and state the subject of each witnesses testimony.

ANSWER:

4. List each and every document or other type of exhibit that the Commission is going to produce at the Citation hearing.

ANSWER:

5. Please provide the identity of all independent or controlled "expert witnesses," the subject(s) on which they are expected to testify, their qualifications; and their conclusions, opinions and the basis therefore. Please attach any reports or statements, whether written or oral, which have been obtained from, produced or prepared by these witnesses.

ANSWER:

6. State the methodology used by the Commission or any of its staff to determine that the Norfolk Southern Railway Company was allegedly in violation of 92 Illinois Administrative Code at the crossing of Stanford Road/TR444, located in Webber Road Strict, Jefferson County, Illinois, including all measurements, studies and calculations.

ANSWER:

7. List each and instance in which the Illinois Commerce Commission has ever enforced 92 Illinois Administrative Code Part 1534.205 through Citation.

ANSWER:

8. List each citation the Illinois Commerce Commission has issued on its own motion against a railroad.

ANSWER:

9. Has the Illinois Commerce Commission ever been sued in the Illinois Court of Claims?

ANSWER:

10. State and explain how the Illinois Commerce Commission obtains funding and what factors go into that determination.

ANSWER:

11. List each and every time the Illinois Commerce Commission has assessed a penalty, whether civil or criminal, against a railroad on the basis 92 Illinois Administrative Code 1535.205.

ANSWER:

GUNDLACH, LEE, EGGMANN, BOYLE & ROESSLER

By: 

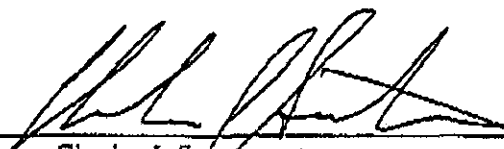
Charles J. Swartwout
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PROOF OF SERVICE

The undersigned certifies that a copy of the attached document was hand-delivered on
September 12, 2002, to:

Kevin Sharpe
Director of Processing and Information
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Gary Schechter
Special Assistant Attorney General
Attorney for Illinois Commerce Commission
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Charles J. Swartwout